

MACOMB COUNTY IMMUNIZATION REGULATION

This regulation shall be known as the Macomb County Immunization Regulation, enacted by the Macomb County Board of Commissioners September 27, 1979:

SECTION 1 - GENERAL PROVISIONS

ENACTING CLAUSE: The Macomb County Board of Commissioners, under the authority to adopt regulations vested in it by Sections 2433, 2441 and 2442 of Act 368 of the Public Acts of 1978, State of Michigan, hereby adopts the Macomb County Immunization Regulation.

POLICY STATEMENTS: This Regulation is designed to assist the Macomb County Health Department in its enforcement of State and local immunization and communicable disease laws and its general responsibility for protecting the health and safety of the citizens of Macomb County. Nothing contained in this regulation shall be construed to abrogate or supersede any other statutory or common law rights any person may have.

SECTION 2 - ENFORCEMENT

The Macomb County Health Officer or the Health Officer's authorized representative is charged with the authority and duty to apply and enforce the provisions of this regulation and any guidelines promulgated under this regulation in any township, village or city within the jurisdiction of the Macomb County Health Department.

SECTION 3 - REGULATION

No student or minor child shall be admitted to any public, private or parochial elementary or secondary school, day care center, camp or any other organized care or educational facility for preschool, elementary or secondary level operating in Macomb County unless such student or minor child can present to the appropriate school, program or day care authorities written certification from a licensed physician or authorized representative of a state or local health department that such student or minor child has received immunizations, is in the process of receiving immunizations or has otherwise demonstrated immunity against vaccine preventable diseases through serological testing using standards and practices specified by or acceptable to the Michigan Department of Public Health and the Macomb County Health Department.

SECTION 4 - CERTIFICATION

What constitutes acceptable written certification of immunization shall be subject to the approval of the Macomb County Health Department. Acceptable written certification of immunization shall include, but not be limited to, the date of month and year of each dose of every antigen required by the Macomb County Health Department.

SECTION 5 - IMMUNIZATION

The diseases to be immunized against, the antigens to be used, and manner and frequency of their administration shall be specified by the Macomb County Health Department but shall not be less than minimum standards promulgated by the Michigan Department of Public Health to enforce Part 92, Sections 9201 through 9229 of Act 368 of the Public Acts of 1978 and shall conform to accepted standard medical practices.

SECTION 6 - EXEMPTIONS

MEDICAL: Any student or minor child with a physical condition such that immunization would endanger the life or health of such student or minor child, shall submit a statement to the enforcing authorities from a licensed physician or designee, specifying which immunizations are contraindicated and the period of time the contraindication is in effect. Certification of medical exemption shall be subject to approval by the Macomb County Health Department. Children with temporary medical contraindications shall receive the appropriate immunizations after the contraindication is no longer in effect.

RELIGION & OTHER: A student or a guardian of a minor child with a religious or other objection to immunizations shall submit to the enforcing authorities a statement or objection in a form approved by the Macomb County Health Department.

SECTION 7 - EXEMPT STUDENT AND MINOR CHILDREN DURING DISEASE OUTBREAKS

Students and minor children with temporary and permanent exemptions to immunizations are susceptible to the diseases which they are not immunized against. Such students and minor children may be excluded from the school, day care centers, preschool program, camp or other facility by order of the Macomb County Health Department during periods of disease outbreaks until such time as the disease outbreak has ended.

SECTION 8 - RECORDS

A student's or minor child's written immunization history shall be incorporated into his or her permanent school, day care, preschool program and/or camp record in a form subject to the approval by the Macomb County Health Department, and shall be subject to inspection and audit by local health and education officials. Summaries of such records shall be sent to the Macomb County Health Department on dates and in a manner specified by the Department.

SECTION 9 - PROMULGATION OF ADMINISTRATIVE GUIDELINES

The Macomb County Health Department shall promulgate administrative guidelines under this regulation and shall supply or approve forms for recording the immunization history of students or minor children affected by this regulation.

SECTION 10 - SANCTIONS

PENALTIES: Any person who shall fail to comply with any provisions of this regulation or any order of the Macomb County Health Officer promulgated thereunder, shall be deemed guilty of a misdemeanor.

INJUNCTION: When injunctive relief would be the most effective remedy or whenever any person has repeatedly violated the provisions of this regulation and the orders of the Macomb County Health Officer, the Health Officer may commence appropriate civil legal action in a court of competent jurisdiction in the name of the Macomb County Health Department to enjoin and restrain further continuance of such violation.

SECTION 11 - INTERPRETATION CLAUSES

OTHER LAWS AND REGULATIONS: This regulation and guidelines promulgated under this regulation are minimum standards, supplemental to the statutes of the State of Michigan, the administration rules duly promulgated there under, and any local regulations or ordinances. Where any provision of this regulation and a provision of any Federal, State or local statute, ordinance or regulation both apply, the more restrictive of any or all codes, statutes, ordinances or regulations shall prevail.

INTERPRETATION: Provisions of this Regulation shall be construed liberally so as to best preserve the public health and safety. The word "shall" is mandatory, not merely directory.

Notes: The Michigan Department of Public Health was reorganized and is now known as the Michigan Department of Community Health.